

DECLARATORY RESOLUTION NO.  
697 - 1938

For the re-location of the alley  
between Lots Numbered 32 and 33  
South Wood Park Addition,  
Section "C".

---

Plans ordered: Feb. 24, 1938

Approved-Adopted: Mch, 10, 1938,  
7:30 P.M.

Not.Prop.Owners: Mch.15-22, 1938

Hearing on Confm.Thurs. Apr.7, 1938  
7:30 P.M.

Confirmed: " " " "

Assessm.Roll Ord. " " " "

Approval of Asm.Roll (T.U.A.) Thur.  
Apr.28th, 1938, 7:30 P.M. until  
Thurs. May 5, 1938, 7:30 P.M.  
Assm.<sup>R</sup>oll Approved: Thurs. May 5,  
1938, 7:30 P.M.

Notces Served: Sat. May 7, 1938

Confm.Assm.Roll: Thur. May, 19, 1938  
7:30 P.M.

Assessm.<sup>R</sup>oll Confm. " " " "

DECLARATORY RESOLUTION NO. 697-1938.

For the re-location of the alley between Lots Numbered 32 and 33 South Wood Park Addition, Section "C".

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is deemed necessary and advisable to re-locate the alley between Lots Numbered 32 and 33 South Wood Park Addition, Section "C".

For the vacation of that part of the alley as platted between Lots Numbered 32 and 33 South Wood Park Addition, Section "C", more particularly described as follows:

Commencing at the ~~northeast corner of Lot Number~~ intersection of the northeast line of Lot Number 33 in said Addition and the southeast line of Crestwood Drive; thence southeasterly along the northeast line of said Lot Number 33 a distance of one hundred fifty (150) feet; thence in a northwesterly direction along the southwest edge of the concrete pavement now existing, to the intersection of said concrete pavement and the southwest line of Lot Number 32 in said Addition; thence in a northwesterly direction along the southwest line of Lot Number 32 to the southeast line of Crestwood Drive; thence in a southwesterly direction along the southwest line of Crestwood Drive a distance of twelve (12) feet to the place of beginning.

For the opening of an alley twelve (12) feet in width over a portion of Lot Number 32 South Wood Park Addition, Section "C", more particularly described as follows:

Commencing at a point on the northwest line of Lot Number 32 in said Addition seven tenths (0.7) feet northeast of the intersection of the southwest line of said lot and the southeast line of Crestwood Drive; thence southeasterly along the southwest edge of the concrete pavement now existing, to the intersection with the southwest line of said lot Number 32; thence southeasterly along the southwest line of said lot Number 32 to the intersection with the northeast edge of the concrete pavement now existing; thence northwesterly along the northeast edge of said concrete pavement to the northwest line of said Lot Number 32, said line also being the southeast line of Crestwood Drive; thence southwesterly along the southeast line of Crestwood Drive a distance of twelve (12) feet to the place of beginning.

All as shown by a plan of such proposed alley re-location as above described now on file in the office of the Department of Public Works of said City.

The cost of the re-location of the alley as above described shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by the proposed alley re-location as above described is described as Lots Numbered 32 and 33 South Wood Park Addition, Section "C".

All according to the method and manner provided by the acts of the General Assembly of the State of Indiana, entitled as "An Act Concerning Municipal Corporations," approved March 6, 1905, and the provisions of all acts amendatory thereto and supplemental thereof.

All of said streets and alleys and lots affected by the above described alley re-location being situated within the corporate limits of the City of Fort Wayne, Indiana.

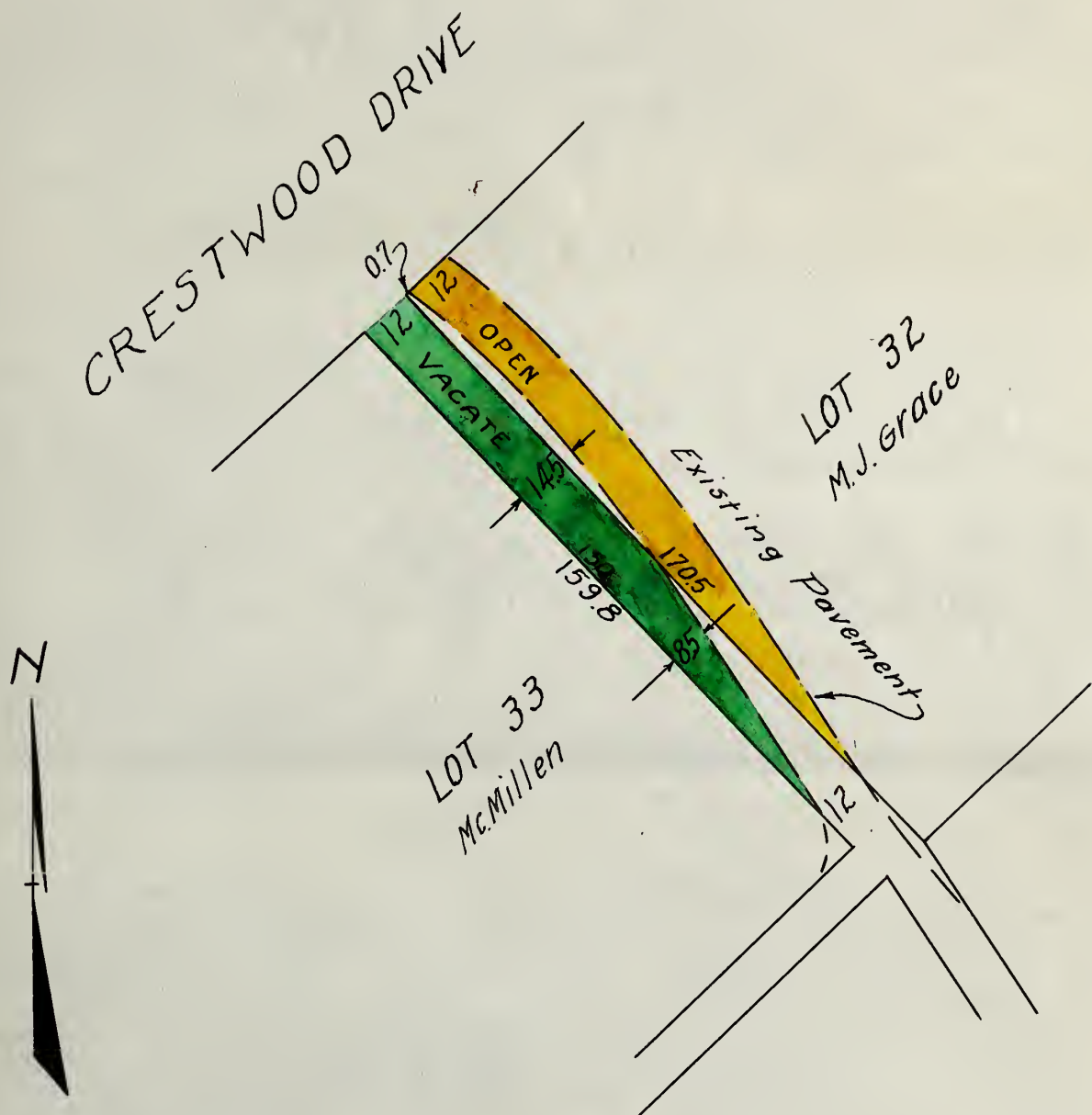
Adopted this 10th day of March, 1938.

BOARD OF  
PUBLIC WORKS

ATTEST:

Secretary.





Plan of the re-location of the alley as platted between Lots  
Numbered 32 and 33 South Wood Park Addition, Section "C".

Declaratory Resolution No. 697-1938

TO THE HONORABLE BOARD OF PUBLIC WORKS OF THE  
CITY OF FORT WAYNE:

The undersigned Martin J. Grace and Stewart W. Mc Millen being the owners of Lots 32 and 33, respectively, in Southwood Park Addition, Section C, to the City of Fort Wayne, Indiana, respectfully represent that the following described platted alley has never been used as such: That part of the alley as platted between Lots numbered 32 and 33 in said Southwood Park Addition, Section C, extending in a southeasterly direction from the northern terminus of said alley at the southeast line of Crestwood Drive a distance of 150 feet to a line drawn parallel to and 9.8 feet distant northwest of the southeast line of said lot numbered 33 but in lieu thereof a private alley was located and improved upon and over the following real estate: A strip of ground 12 ft. in width extending in a southeasterly direction on a course curving to the right from the southeast line of Crestwood Drive for a distance of 151 feet connecting there with the alley as platted between Lots 32 and 33 in Southwood Park Addition, Section C, according to the recorded plat thereof, along and at a line drawn parallel to and nine and eight tenths (9.8) feet distant northwest from the southeast line of Lot 33 in said Addition, more particularly described as follows: Commencing at a point in the northwest line of Lot 32 in said Addition situate seven tenths (0.7) of one foot northeast of the westerly corner of said lot; thence southeasterly a distance of fifty feet to a point situated within said Lot 32 and normally distant two and five tenths (2.5) feet from the south west line of said lot; thence continuing southeast

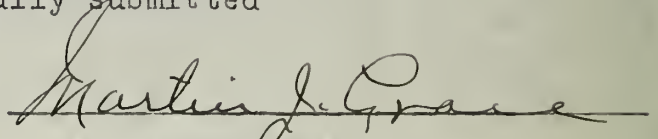
a distance of fifty and three tenths (50.3) feet to a point situated within said alley so platted between said Lots 32 and 33 and three and five tenths (3.5) feet normally distant from the southwest line of said Lot 32; thence continuing southeasterly a distance of fifty and seven tenths (50.7) feet to a point in the southwest line of the aforesaid platted alley, said point being situated 150 feet southeasterly of the northeasterly corner of said Lot 33 and nine and eight tenths (9.8) feet northwest of the easterly corner of said Lot 33; thence northeasterly on a line parallel to the southeast line of said Lot 33 a distance of 12 feet; thence northwest a distance of fifty and seven tenths (50.7) feet to a point within said Lot numbered 32 situated eight and six tenths (8.6) feet normally distant from the southwest line of said lot thirty two (32) thence continuing northwesterly a distance of fifty and three tenths (50.3) feet to a point situated within said Lot 32 and fourteen and five tenths (14.5) feet normally distant from the southwest line of said Lot thirty two (32); thence continuing northwesterly a distance of fifty feet to a point in the northwest line of said Lot 32 situated twelve and seven tenths (12.7) feet northeast of the westerly corner of said Lot 32; thence southwesterly on the northwest line of said Lot 32 a distance of twelve and seven tenths (12.7) feet to the point of beginning.

Your petitioners further represent that they are the only persons interested in the vacation of said platted alley and in the opening of a new alley on the above described private alley and they, therefore, respectfully petition your Honorable Board that said platted alley above described be vacated and that the ground so occupied by said private alley be opened as a

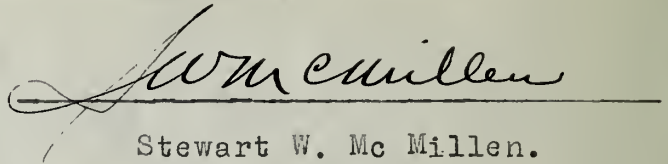


public alley.

Respectfully submitted

A handwritten signature in cursive script, reading "Martin J. Grace", written over a horizontal line.

Martin J. Grace

A handwritten signature in cursive script, reading "Stewart W. Mc Millen", written over a horizontal line.

Stewart W. Mc Millen.

OFFICE OF A.K.HOFER, C.E.  
2129 Dodge Avenue,  
Fort Wayne, Indiana  
August 12th, 1937

Below are the descriptions of parts of Lots #32 and #33 in South Wood Park Addition, Section C, involved in the rearrangement of the property lines between the Martin J Grace premises and the Stewart McMillen premises.

- (a) Description of alley to be vacated is as follows, towit;  
That part of the alley as platted between Lots #32 and #33, in South Wood Park Addition, Section C, according to the recorded plat thereof, extending from the northern terminus of said alley at the south/east line of Crestwood Drive in southeasterly direction a distance of one hundred fifty (150.0) feet to a line drawn parallel to and nine and eight tenths (9.8) feet distant north/west of the south/east line of said Lot # 33.
- (b) Description of land to be conveyed by Grace to McMillen is as follows, towit; ~~X~~ Parts of the Lot # 32 and the vacated alley next thereto adjoining in the plat of South Wood Park Addition, Section C, according to the recorded plat thereof; in particular described as follows, towit;  
Commencing at the point of intersection of the south/east line of Crestwood Drive in said addition by the center line of said vacated alley; thence southeasterly on the center line of said vacated alley a distance of one hundred fifty (150.0) feet; thence northwesterly a distance of fifty and seven tenths (50.7) feet to a point situated within said Lot #32 and eight and sixty five hundredths (8.65) feet normally distant from the center line of said vacated alley; thence continuing northwesterly a distance of fifty and three tenths (50.3) feet to a point situated within said Lot # 32 and fourteen and five tenths (14.5) feet normally distant from the center line of said vacated alley; thence continuing northwesterly a distance of fifty (50.0) feet to a point in the north/west line of said Lot #32 situated six and seven tenths (6.7) feet northeasterly of the westerly corner of said Lot #32; thence southwest on the north/west line of said Lot #32; said line being also the south/east line of said Crestwood Drive, a distance of twelve and seven tenths (12.7) feet to the point of beginning. ~~X~~
- (c) Description of Opening of Alley to be established between the Grace premises and the McMillen premises, is as follows, towit;  
An alley twelve (12.0) feet in width extending from the south/east line of Crestwood Drive in a southeasterly direction on a course curving to right for a distance of one hundred fifty one (151.0) feet, connecting there with the alley as platted between Lot #32 and Lot #33 in South Wood Park Addition, Section C, according to the recorded plat thereof, along and at a line drawn parallel to and nine and eight tenths (9.8) feet distant northwest from the south/east line of Lot #33 in said addition; the area to be occupied by such opening being described in particular as follows, towit;  
Commencing at a point in the north/west line of Lot #32 in said South Wood Park Addition, Section C, situated seven tenths (0.7) of one foot northeast of the westerly corner of said Lot #32; thence southeasterly a distance of fifty (50.0) feet to a point situated within said Lot #32, and normally distant two and five tenths (2.5) feet from the south/west line of said lot; thence continuing southeasterly a distance of fifty and three tenths (50.3) feet to a point situated within the alley as platted between lots #32 and #33 above mentioned, and three and five tenths (3.5) feet normally distant from the south/west line of said Lot #32;

*A.K. Hofer*



- (c) Thence continuing southeasterly a distance of fifty and seven (50.7) feet to a point in the south/west line of the aforesaid platted alley, said point being situated one hundred fifty (150.0) feet southeasterly of the northerly corner of Lot #33 and nine and eight tenths (9.8) feet northwest of the easterly corner of said Lot #33 ; thence northeasterly on a line parallel to the south/east line of said Lot #33 , a distance of twelve (12) feet ; thence northwesterly a distance of fifty and seven tenths (50.7) feet to a point within said Lot #32 situated eight and six tenths (8.6) feet normally distant from the south/west line of said Lot #32 ; thence continuing northwesterly a distance of fifty and three tenths (50.3) feet to a point situated within said Lot #32 , and fourteen and five tenths (14.5) feet normally distant from the south/west line of said Lot #32 ; thence continuing northwesterly a distance of fifty (50.0) feet to a point in the north/west line of said Lot #32 , situated twelve and seven tenths (12.7) feet northeast of the westerly corner of said Lot #32 ; thence southwesterly on the north/west line of said Lot #32 a distance of twelve and seven tenths (12.7) feet to the point of beginning

NOTE; The surface of the area to be legally opened as an alley is paved with concrete and is and has been is use as an alley drive for about ten years.

Signed ;

  
A.K. Hofer



WILLIAM J. VESEY  
FRED B. SHOAFF  
ROBERT Y. KEEGAN  
JOHN D. SHOAFF

VESEY AND SHOAFF  
ATTORNEYS AT LAW  
1108 OLD-FIRST BANK BUILDING  
FORT WAYNE, INDIANA

May 10, 1938

Board of Public Works  
Fort Wayne, Ind.

Attention: Mr. Chas. F. Hess

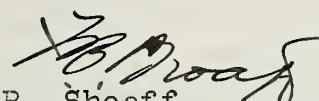
Gentlemen:

In accordance with your request I am enclosing herewith receipts from the News Publishing Co. and the Journal-Gazette Co. for publishing notice in connection with Declaratory Resolution No. 697-1938 for the vacation and opening of an alley between the properties of Martin Grace and S.W. McMillen.

My understanding is that with these receipts in your hands you will prepare final assessment roll showing damages and benefits equal, and the matter can be closed up.

When they have served their purpose will you kindly return the enclosed receipts.

Yours very truly,

  
F. B. Shoaff

FBS:AG  
Enc-2

*Returned*  
*5/12/38*

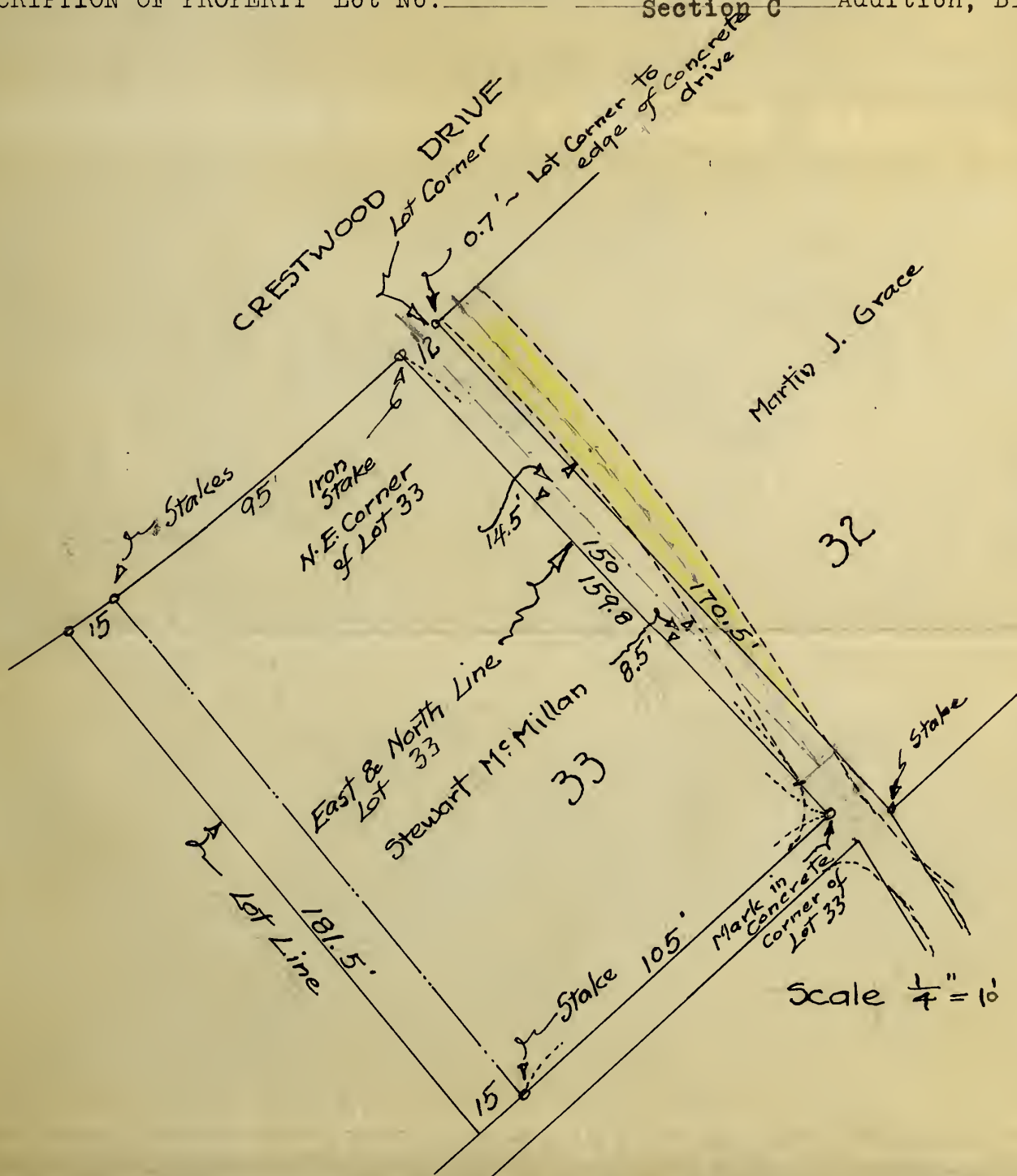
OFFICE OF **A. K. HOFER**  
CIVIL ENGINEER—FORT WAYNE

Month May 27th, 1937 192

Registered as provided in Chapter 169, of Acts 72nd General Assembly, State of Indiana

This document is the record of a resurvey of land and real estate situated in the City of Fort Wayne, Allen County, Indiana, made in accordance with the plat and deed record thereof on file in the Office of Recorder of said County and State. The land below described exists in full dimension as herein noted in feet, and is free from encroachments by adjoining landowners, and furthermore, contains entirely within its boundaries the structures of the buildings on it situated; all as below indicated in detail. Any exceptions or discrepancies are below noted.

DESCRIPTION OF PROPERTY Lot No. 32 and 33 South Wood Park Section C Addition, Block \_\_\_\_\_



This survey is made to show the position of the concrete drive pavement as it now exists on and along the south & west border of Lot #32, in relation to the platted lot lines of said lots # 32 and #33 and the platted alley lying between said lots. Portion of pavement on said Lot #32 is shaded yellow.

Signed A. K. Hofer

SURVEYOR  
and DEVELOPING of  
ENGINEER

South Wood Park  
Forest Hill  
Harrison Hill  
Driving Park

Englewood Court  
Oakdale Terrace  
Shady Brook Park  
Woodland View

Kensington Park  
Lafayette Place  
Country Club Gardens  
Municipal Boulevards of City of Fort Wayne

Crestholme  
North Highlands  
Klug Park



Box 15610/18-1921

LC 15610/18-1921

Improvement Res. No.

Resolution Adopted:

Confirmed:

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed: